

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
REGULAR MEETING MINUTES
7/1/2014
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 6:00 P.M. on Tuesday, July 1, 2014, for its regular monthly meeting with Madame Chair Janet Stockton presiding.

Commission Members Present: Bud Blanchard; Derwin Hall; Ina Clements; Jerry Greer; John Tiggle; Madame Chair Janet Stockton; Vice Chairman John Speidel.

Commission Members Absent: None.

Staff Members Present: Matthew C. Hankins, Assistant Town Manager; Patrick N. Rust, Town Planner; Stacey Sink, Deputy Clerk and Secretary.

ORGANIZATIONAL MEETING

Election of Chairman: Commission Member Tiggle nominated Commission Member Stockton to remain as chairman of the Planning Commission. The nomination was seconded by Commission Member Blanchard. Nominations were closed by Commission Member Hall. Let the record show that Commission Member Stockton was elected as chairman by a unanimous vote.

Election of Vice Chairman: Commission Member Clements nominated Commission Member Speidel to remain as vice chairman of the Planning Commission. The nomination was seconded by Commission Member Tiggle. Nominations were closed by Commission Member Clements. Let the record show that Commission Member Speidel was elected as vice chairman by a unanimous vote.

Appointment of Clerk: Madame Chair Stockton nominated Deputy Clerk Sink to remain as clerk/secretary of the Planning Commission. The nomination was seconded by Vice Chairman Speidel. Nominations were closed by Commission Member Clements. Let the record show that Deputy Clerk Sink was appointed as clerk/secretary by a unanimous vote.

Appointment of Subdivision Agent: Commission Member Hall nominated Assistant Manager Hankins to remain as the subdivision agent acting on behalf of Planning Commission. Let the record show that Assistant Manager Hankins was appointed as subdivision agent by a unanimous vote.

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve the agenda as presented

Motion By: Commission Member Clements

Second: Vice Chairman Speidel

Action: Approved unanimously

REVIEW AND CONSIDERATION OF MINUTES

Let the record show that prior to the meeting, Planning Commission received the following draft minutes for review and consideration of approval: **June 3, 2014 – regular meeting minutes.**

Additions or Corrections: None

Motion: To approve the minutes as presented

Motion By: Vice Chairman Speidel

Second: Commission Member Clements

Action: Approved unanimously

PUBLIC HEARING

Let the record show there were no public hearings held at this time.

OLD BUSINESS

Let the record show there was no old business to discuss at this time.

NEW BUSINESS

New Business Item #1: Review of Variance Request of Kenny Tanks on behalf of Joyful Light Ministries for the property located at 145 Maynor Street

Staff Remarks: Kenny and Cynthia Tanks with Joyful Light Ministries have bought a property on Maynor Street with the intention of building a church. The Town has received an application for a variance from the Town's off street parking requirements. Specifically, the requested variance is from Article 7-2-7 of the Town's Zoning and Development Ordinance which requires all non-residential driveways and parking spaces to be paved with asphalt, concrete, plant mix, or brick. The parcel is located at

145 Maynor Street, Franklin County Tax Map and Parcel Number 2070036900, and is zoned Residential R2. Joyful Light Ministries plans to construct a new church on the property, and churches are a use by right in R2 zoning. No site plan had been submitted to the Town at the time of the writing of the staff report. (Let the record show that a site plan for the property was submitted to the planning office on June 30.) Variance applications are decided upon by the Board of Zoning Appeals. However, Article 15.2-2310 of the Code of Virginia (1950), as amended, requires that the zoning administrator transmit a copy of any variance application to the local planning commission which may send a recommendation to the Board or appear as a party at the hearing. The purpose of this discussion is to determine if the Planning Commission wishes to make a recommendation to the Board of Zoning Appeals.

Staff has reviewed the variance request and feels that it cannot support such a variance. There are reasons why Town Code requires paved access instead of gravel access. Additionally, the applicants also indicated on the application and during a subsequent telephone conversation that they would like to have some variation from the stormwater requirements. However, this is not something that staff can allow variation from. In general, staff found the application for the variance very confusing.

Discussion by Planning Commission: Commission Member Clements recounted the history of the property when a previous owner wanted to put an apartment at 145 Maynor, but because of drainage going to Spring Street, the neighbors complained and the request was denied. Assistant Manager Hankins noted that the stormwater is something which could be managed with drain facilities, but it would reduce the amount of area available on the land to build. He also noted that this is one of the situations where the land buyer did not come to the planning office prior to purchase. Staff knew about the desire to build a church on the property only when the sign popped up.

Vice Chairman Speidel wondered if the Town had opened the door to allowing unpaved parking when the Board of Zoning Appeals allowed the new owner of The Grove to build a parking lot with non-traditional means. Assistant Manager Hankins noted that these two scenarios are different, and with The Grove, the historical nature of the property played into the use. That precedent would not apply to this situation. He also noted that Joyful Light can take into consideration the available public parking within 500 feet of the property which may allow the church to reduce the number of on-site parking spaces. Staff spoke to Mr. and Mrs. Tanks last week and advised them they had the opportunity to participate in tonight's meeting. They notified staff earlier that they would not be able to attend.

Vice Chairman Speidel agreed with the unsuitability of the potential apartment complex due to the drainage and does not believe that this proposed use will solve the problem. Assistant Manager Hankins noted that churches are a use by right, but given the size of building and congregation, he does not see any other variation from the ordinance that

could be caused by this property. Vice Chairman Speidel noted that the Town wants the downtown area to grow and expand and a gravel lot would be too near that growth.

Planning Commission Member Greer noted that 20 years ago there was no paving requirement and businesses had their driveways packed with stone instead of paving, and now 20 years later the lots still are not paved. He feels that the Town must be strict regarding paving requirements.

Motion: To recommend to the Board of Zoning Appeals that the variance request for 145 Maynor Street, Franklin County Tax Map and Parcel Number 2070036900, be denied

Motion By: Commission Member Greer

Second: Commission Member Blanchard

Motion Discussion: none

Action: Approved unanimously

New Business Item #2: Discussion regarding zoning consideration for the urban farming of “backyard” chickens

Staff Remarks: Assistant Manager Hankins noted that staff has received many requests from people who want to have urban chickens, approximately one request every two weeks. This desire is becoming more popular because of the local food movement. Some larger localities, such as Portsmouth, have done it. Because of the increased interest, Town Council has referred the issue to Planning Commission for review. Planning Commission does not have to make a decision tonight. Town Planner Rust has researched nearby localities and will share his findings with Planning Commission tonight. Currently, there are people who keep chickens in town, but they have done a good job of not having roosters or disturbing the neighbors. At the present time, the use is only allowed in Residential Agricultural - RA zoning with specific restrictions. The larger question is does Planning Commission want to allow the keeping of chickens in other zones in town. Town Planner Rust gave a brief presentation summarizing what other localities have allowed regarding chickens.

Discussion by Planning Commission: Commission Member Hall noted that he had researched urban chickens and found a university study which indicated that most places which allow chickens only allow a small number, three or four, because that few chickens will produce one to two dozen eggs a week, which is enough for a family of four. Assistant Manager Hankins agreed that if the purpose of keeping chickens is to participate in the local food movement and to know where the consumer’s food comes from, the the number should be limited to a small number of chickens. Commission Member Hall noted that some other requirements are that the chickens be enclosed,

that the feed be in a rodent-proof container, that the feces cannot be used for fertilizer, etc.

Madame Chair Stockton questioned Commission Member Hall if there was any indication of average distance from neighboring properties. There was no indication.

Commission Member Blanchard noted that it would be interesting to see what problems exist in localities where chickens are allowed.

Vice Chairman Speidel noted that there are a lot of factors and questioned if staff believes there is a need, right now, to address the issue through policy. Assistant Manager Hankins advised he feels there is a need. Vice Chairman Speidel noted that a good option might be to start small with a restrictive policy.

Town Planner Rust noted he would do some further research and bring it back to Planning Commission for discussion at a later date.

COMMISSIONER CONCERNS & STAFF UPDATES

Blanchard: None

Clements: Asked for clarification regarding the Dollar Tree entrance, as she thought there was going to be an exit onto Marketplace Drive. Assistant Manager Hankins noted that Dollar Tree would have had to acquire extra property in order to exit on Marketplace Drive, so the Town was unable to make this requirement. However, the Town did require a “right in, right out” only at lower end and full entrance/exit across from Powder Creek.

Greer: None

Hall: None

Tiggle: None

Speidel: None

Stockton: None

Staff Updates: (1) Bootleggers Café is holding an open house on July 9 for the dedication of the Coca Cola Mural Sign, coupon in paper for free BBQ sliders. (2) Dollar Tree planning to open August 2. (3) Taco Bell has started the grading work. (4) Empire foods considering an expansion of the facility to add more storage and refrigerator space. (5) Finally have approval for the 40 East sidewalks. (6) Paving on 220N is expected to happen in two weeks. (7) Commission Member Greer remains a member of the Planning Commission, as Town Council has decided not to appoint a Council member to the Commission.

ADJOURNMENT

Motion to Adjourn By: Commission Member Tiggle

Second: Vice Chairman Speidel

Action: Approved unanimously

Time of Adjournment: 6:47 P.M.

Janet Stockton, Chairman

ATTEST:

Stacey B. Sink, Clerk/Secretary